

Message Text

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ACTION EB-07

INFO OCT-01 NEA-10 ISO-00 COME-00 SCS-05 CG-00 DOTE-00

CIAE-00 DODE-00 INR-07 JUSE-00 L-03 NSAE-00

SCA-01 TRSE-00 /034 W

-----052176 050610Z /20

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FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 3366

UNCLAS TEHRAN 5882

E.O.11652: N/A

TAGS: EWWT, BDIS, IR

SUBJ: TRADE COMPLAINT: PUERTO RICAN MARITIME

SHIPPING AUTHORITY (PRMSA)

REF: (A) STATE 153446, (B) STATE 115022

1. SUBSEQUENT TO EMBASSY'S RECEIPT OF REFTEL B, WE HAVE HAD SEVERAL MEETINGS AND LONG DISTANCE PHONE CALLS WITH ATTORNEY WILLIAM KARAS IN AN EFFORT TO BE OF ASSISTANCE IN RESOLVING MATTER OF RETURN TO PRMSA OF SOME 230 ROLL-ON ROLL-OFF TRAILERS LEASED BY PRMSA FROM VARIOUS U.S. FIRMS. WE HAVE ALSO BEEN IN FREQUENT TOUCH WITH PRMSA'S TEHRAN ATTORNEY, MR. CHAHINE AGHAYAN, TEHRAN CUSTOMS AUTHORITIES AND THE PORT AND SHIPPING ORGANIZATION. SUBSEQUENTLY, EMBASSY ARRANGED INITIAL MEETING FOR MR. KARAS, WHICH BREWIN SAT IN ON, WITH COMPETENT TEHRAN CUSTOM AUTHORITIES. EMBASSY ALSO OFFICIALLY INFORMED PSO THAT CHAIRMAN OF THE BOARD OF PRMSA WAS COMPETENT TO SPEAK FOR THE ORGANIZATION AND THAT FULL FAITH AND CREDIT COULD BE GIVEN TO HIS VARIOUS COMMITMENTS TO THE PSO AS CONTAINED IN TELEXES SENT TO LATTER ORGANIZATION. THIS HAS BEEN A SOMEWHAT DIFFICULT CASE FOR THE EMBASSY TO ASSIST IN, LARGELY FOR TWO REASONS((1) FORMER LOCAL AGENT OF PRMSA, STAR LINES, WHICH PRMSA DISMISSED HAS

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POTENTIAL PECUNIARY INTEREST IN HOLDING TRAILERS HOSTAGE AGAINST POSSIBLE ADVERSE ARBITRATION AWARD;
(2) PROCRASTINATION BY GOI AUTHORITIES IN COMING UP WITH DEFINITIVE STATEMENT OF STORAGE CHARGES, IF ANY, PAYABLE BY PRMSA. EMBASSY NONETHELESS HAS PERSEVERED AND WILL CONTINUE TO DO SO UNTIL ALL TRAILERS ARE RETURNED TO PRMSA.

2. AGHAYAN CONFIRMED TO BREWIN THIS MORNING THAT NINETY-NINE TRAILERS NOW ON THE HIGH SEAS ENROUTE TO PRMSA. ON EVENING OF JULY 2, AGHAYAN OBTAINED COMMITMENT FROM MINISTRY ECONOMIC AFFAIRS AND FINANCE REP IN PSO THAT LATTER WOULD ISSUE A LETTER TO CUSTOMS AUTHORITIES IN BANDAR SHAHPOUR AUTHORIZING LOADING OF REMAINING TRAILERS ON GULF BEAR, DEPARTING JULY 7. AGHAYAN HAS DEPOSITED WITH PSO CHECK FOR RIALS 6 MILLION TO COVER STORAGE COSTS. AGHAYAN SAID THAT HE WILL PROVIDE CHECK FOR ANY ADDITIONAL AMOUNT PSO FINDS REQUIRED. FINALLY, ENTIRE MATTER OF CHARGES WILL BE SUBMITTED TO GOI'S SUPREME COUNCIL (CHAIRER BY MEAF MINISTER ANSARY) FOR CONSIDERATION BY THAT BODY IN ABOUT ONE MONTH'S TIME.

3. AGHAYAN SAYS THAT HE IS 99 PERCENT CONFIDENT THAT REMAINING TRAILERS WILL BE LOADED JULY 7. A LEGAL REPRESENTATIVE FROM HIS OFFICE WILL PROCEED TO BANDAR SHAHPOUR TO DEAL WITH ANY LAST MINUTE HITCHES THAT MIGHT ARISE.

4. IF DEPARTMENT IS IN TOUCH WITH ATTORNEY KARAS, PLEASE ASSURE HIM THAT EMBASSY AND AGHAYAN LAW FIRM ARE ON TOP OF SITUATION. SULLIVAN

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